

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

In re:

1015 SIXTH AVE. LLC,

Debtor.

Chapter 11

Case No. 11-12131 (MG)

-----X

**ORDER TO SHOW CAUSE OF 1015 SIXTH AVE. LLC FOR AN ORDER
DISMISSING INSTANT BANKRUPTCY PROCEEDING**

The Debtor, 1015 Sixth Ave. LLC, filed a petition under chapter 7 of the Bankruptcy Code on March 25, 2011, Case No. 11-11308, which case was pending before Judge Lane. After notice and a hearing, the chapter 7 petition was dismissed on April 13, 2011 because the petition was filed “in error.” The Debtor subsequently filed a petition under chapter 11 of the Bankruptcy Code on May 5, 2011. The chapter 11 case was assigned to me the same day.

A representative for the Debtor shall show cause at a hearing to be held before the undersigned bankruptcy judge on **June 15, 2011 at 11:00 a.m.**, in Room 501 of the United States Bankruptcy Court, located at the Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004, why the Court should not dismiss the instant bankruptcy proceeding for failure to: (A) file the chapter 11 petition with a licensed attorney; and (B) file schedules and other required documents.

Corporations and other artificial entities must obtain counsel to appear in federal court. *See Rowland v. Cal. Mens Colony*, 506 U.S. 194, 201-02 (1993); *Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007) (holding a LLC, like any other artificial entity, may appear in federal court only through a licensed attorney). A *pro se* filing of a

Chapter 11 petition by a corporation is impermissible. *See Jones v. Niagara Frontier Transp. Authority*, 772 F.2d 20, 22 (2d Cir. 1983) (“a natural person must represent the corporation in court, we have insisted that that person be an attorney licensed to practice law before our courts”) (citation omitted); *In re BSL Operating Corp.*, 57 B.R. 945, 947 (Bankr. S.D.N.Y. 1986).

Representative for the Debtor shall also be prepared to address the circumstances underlying the first bankruptcy filing under chapter 7 that was pending before Judge Lane and subsequent dismissal thereof.

IT IS SO ORDERED.

Dated: New York, New York
May 12, 2010

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge